

Saks officials counter that they wanted her to return to her job and that they never pressured her to make a decision. "We were very concerned about her. It was a difficult time for all of us. We did the best we could," says Krey. "We were surprised when she filed the lawsuit," she adds.

Right now, the suit against Saks is in limbo, while Jane Doe waits for a hearing before the workers' compensation board, which could take months.

ONCE IT was established that she had been raped, she remembers the first question from company officials was "How much vacation time do you have?"

In the meantime, publicity surrounding the case has drawn outrage from politicians, and women's and victim's rights advocates who object to the notion that rape could be put in the same category as falling off a ladder or carpal tunnel syndrome.

"To say that rape on the job is part of the job is completely unacceptable," says Anne Connor, president of NOW-New York City, whose organization has recently taken up the victim's cause in the Saks case. In addition to staging periodic pickets outside the store, NOW is supporting proposed legislation in Albany that would prevent employers from using a workers' compensation defense in cases of sexual assault. The Protection in the Workplace Act passed the Assembly by a unanimous vote in June, but its fate is unclear in the Senate.

That may be just as well for a probusiness Senate that would have

been caught between election year obligations to business supporters and fear of the negative reaction to a vote against crime victims. Insurers and business groups have expressed reservations about the precedent the bill would set, creating exceptions to workers' compensation's no-fault provision. But the bill's supporters argue that workers' compensation was never intended to be a remedy for the crime of sexual assault. They say the lack of clarity in the law has left victims without satisfactory compensation for their suffering, while providing a false shield for employers.

Despite the fact that they might benefit from the status quo, Saks Fifth Avenue, surprisingly, counts itself as one of the reform bill's supporters. They made that point loud and clear with a full-page announcement in the *Times* this spring, pledging their sup-

port for the bill and lamenting the constraints current law puts on sexual assault victims' ability to seek remedies. The victim, needless to say, questions their sincerity.

"They are fooling the public into thinking that they don't have a choice. If they really support this legislation, then prove it. Drop my case out of workers' comp."

Joan Krey says that Saks is actively trying to reach a settlement with Jane Doe: "We have deep sympathy for her. We'd like to see her get some early compensation." And workers' compensation is by no means the route to "early compensation." Mason expects to wait several months before a hearing about her client's case is even scheduled. After the hearing, it could be in appeals for up to five years.

But no matter how long it takes, this Jane Doe vows she won't give up. "I'm not going anywhere," she says. ♦

Pataki's AIDS Drug Ruse

You've heard of a wolf in sheep's clothing. Well, for people with HIV, Governor George Pataki is a thief in a Santa costume.

Last week the governor announced that the AIDS Drug Assistance Program, which subsidizes HIV medicines, would pay for the highly bally-hooped new drugs called "protease inhibitors." Because those drugs start at about \$5000 a year for each patient, that was welcome news.

But Pataki was seeking credit for a gift he didn't give. The governor was merely passing on \$9 million the feds had added to New York's ADAP budget, in part because of the expensive new drugs.

What Pataki actually has done is take away 129 drugs from the ADAP pharmacy. That's 70 per cent of the total. The drugs his administration nixed are a lot less flashy than the protease in-

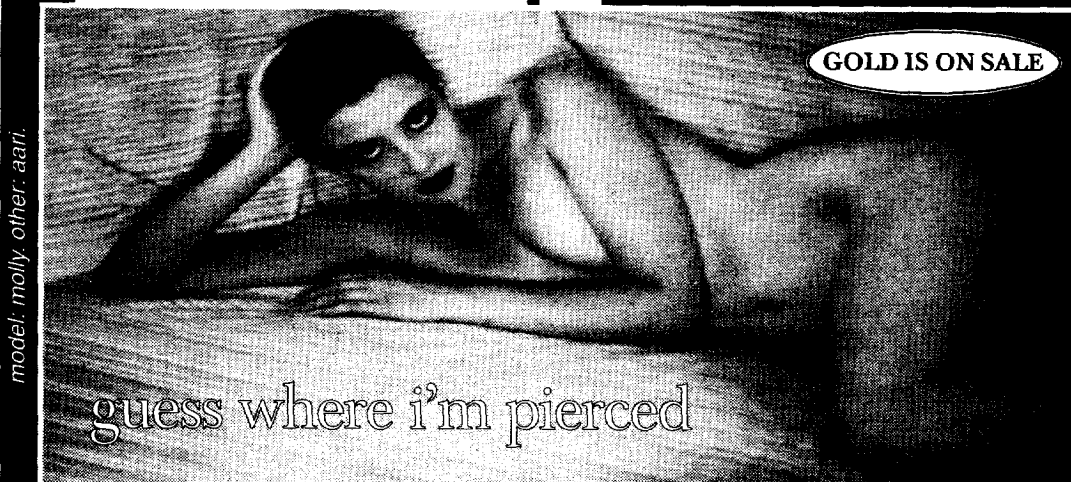
hibitors, but they extend and improve the lives of people living with AIDS. They stop diarrhea, kill parasites, fight bacterial infections, correct life-threatening blood disorders, and stanch the terrible weight loss that can make AIDS patients look like concentration camp survivors.

AIDS advocates are struggling to get the drugs restored. ADAP was designed as a federal-state partnership, and the feds have done their share, says Derek Link of Gay Men's Health Crisis. So activists are focusing on the state, which currently contributes a paltry \$400,000. There are signs of progress. The Assembly has promised to allocate \$15 million, which would restore all the drugs. The Senate has committed to pony up \$4 million—not enough, but better than the governor. He hasn't committed a single state cent.

—MARK SCHOOF

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